In the claims

Please amend claim 5 as follows:

1. (original) An aperture limiting element that has a wavelength selectivity, comprising:

an aperture that is an open space of a specified size formed in a substrate; and

in an area outside the aperture and that surrounds the aperture, a light filter is provided wherein light of a specified wavelength $\lambda 1$ is transmitted, and light of a wavelength $\lambda 2$ is prevented from passing straight through.

2. (original) The aperture limiting element according to claim 1, wherein:

the light of wavelength $\lambda 2$ that is prevented from passing straight through is blocked, and $\lambda 1 < \lambda 2$.

3. (original) The aperture limiting element according to claim 1, wherein

the light of wavelength $\lambda 2$ that is prevented from passing straight through is diffracted laterally, and $\lambda 1 < \lambda 2$.

4. (original) The aperture limiting element according to claim 1, wherein the construction is such that the difference in the optical path length of light of the first wavelength $\lambda 1$ that is transmitted by the substrate and said filter versus the optical path length of light of the first wavelength $\lambda 1$ that passes through the open space of said aperture is $m \cdot \lambda 1$, where m is a positive integer.

5. (currently amended) An aperture limiting element that has wavelength sensitivity comprising:

an aperture that is an open space of a specified size formed in a substrate;

in an area of the substrate that is outside the aperture, there is constructed a first light filter in an inner first region that transmits light of first and second wavelengths $\lambda 1$ and $\lambda 2$, respectively, and blocks light of a third wavelength $\lambda 3$, where $\lambda 1 < \lambda 2 < \lambda 3$; and

in an area of the substrate that is outside the aperture and the inner first region, and that surrounds the aperture, there is constructed a second light filter in an outer second region that transmits light of the first wavelength λ1 and ~~blocks~~ prevents light of the second and third wavelengths λ2 and λ3, respectively, from passing straight through.

6. (original) An aperture limiting element that has a wavelength sensitivity comprising;

an aperture that is an open space of a specified size formed in a substrate;

in an area of the substrate that is outside the aperture, there is constructed a first light filter in an inner first region that transmits light of first and second wavelengths λ1 and λ2, respectively, and blocks light of a third wavelength λ3, where $\lambda 1 < \lambda 2 < \lambda 3$; and

in an area of the substrate that is outside of the inner first region, there is constructed a second light filter in an outer second region that transmits light of the first wavelength λ1, and diffracts one and blocks the other of light of the second and the third wavelengths λ2 and λ3, respectively.

7. (original) The aperture limiting element according to claim 5, wherein the construction is such that:

the difference in the optical path length for light of the first wavelength λ1 that is transmitted by the substrate and said filter in said inner first region versus the optical path length for light of the first wavelength λ1 that passes through the open space of said aperture is $p \cdot \lambda 1$, where p is a positive integer;

the difference in the optical path length for light of the first wavelength λ1 that is transmitted by the substrate and said filter in said outer second region versus the optical path length for light of the first wavelength λ1 that passes through the open space of said aperture is $q \cdot \lambda 1$, where q is a positive integer; and

the difference in the optical path length for light of the second wavelength λ2 that is transmitted by the substrate and said filter in said inner first region versus the optical path length for light of the second wavelength λ2 that passes through the open space of said aperture is $r \cdot \lambda 2$, where r is a positive integer.

8. (original) The aperture limiting element according to claim 6, wherein the construction is such that:

the difference in the optical path length for light of the first wavelength $\lambda 1$ that is transmitted by the substrate and said filter in said inner first region versus the optical path length for light of the first wavelength $\lambda 1$ that passes through the open space of said aperture is $p \cdot \lambda 1$, where p is a positive integer;

the difference in the optical path length for light of the first wavelength $\lambda 1$ that is transmitted by the substrate and said filter in said outer second region versus the optical path length for light of the first wavelength $\lambda 1$ that passes through the open space of said aperture is $q \cdot \lambda 1$, where q is a positive integer; and

the difference in the optical path length for light of the second wavelength $\lambda 2$ that is transmitted by the substrate and said filter in said inner first region versus the optical path length for light of the second wavelength $\lambda 2$ that passes through the open space of said aperture is $r \cdot \lambda 2$, where r is a positive integer.

9. (original) The aperture limiting element according to claim 1, wherein the substrate has the shape of a truncated cone.

10. (original) The aperture limiting element according to claim 9, wherein the substrate is formed of a plastic material.

11. (original) The aperture limiting element according to claim 3, wherein:

the ratio of the intensity of the zero-order diffracted light of the first wavelength $\lambda 1$ divided by the light of the first wavelength $\lambda 1$ that is transmitted by the substrate is 85% or higher; and

the ratio of the intensity of the zero-order diffracted light of the second wavelength $\lambda 2$ divided by the light of the second wavelength $\lambda 2$ that is transmitted by the substrate is less than

the ratio of the intensity of a specified diffracted order of light of the second wavelength λ2 divided by the intensity of light of the second wavelength λ2 that is transmitted by the substrate.

12. (original) The aperture limiting element according to claim 3, wherein the light filter is a diffraction grating having concentric circles of diffractive structures, as viewed in a direction along the optical axis of the light filter.

13. (original) The aperture limiting element according to claim 3, wherein the light filter is a diffraction grating having diffractive structures that, in cross section, have a staircase shape.

14. (original) The aperture limiting element according to claim 8, wherein the diffraction grating diffracts light of the second wavelength λ2 or of the third wavelength λ3 in a direction that initially diverges from the optical axis.

15. (original) The aperture limiting element according to claim 13, wherein the diffraction grating diffracts light of the second wavelength λ2 in a direction that initially diverges from the optical axis.

16. (original) An optical pickup device that includes an objective lens, an optical pickup element, and the aperture limiting element according to claim 1.

17. (original) An optical pickup device that includes an objective lens, an optical pickup element, and the aperture limiting element according to claim 2.

18. (original) An optical pickup device that includes an objective lens, an optical pickup element, and the aperture limiting element according to claim 3.

19. (original) An optical pickup device that includes an objective lens, an optical pickup element,

and the aperture limiting element according to claim 4.

20. (original) An optical pickup device that includes an objective lens, an optical pickup element, and the aperture limiting element according to claim 5.

21. (original) An optical pickup device that includes an objective lens, an optical pickup element, and the aperture limiting element according to claim 6.

22. (original) The optical pickup device according to claim 16, wherein the objective lens is a positive lens having a convex surface on the light-source side arranged so that the convex surface is inserted into the open space of the aperture.

23. (original) The aperture limiting element according to claim 5, wherein the substrate has the shape of a truncated cone.

24. (original) The aperture limiting element according to claim 6, wherein the substrate has the shape of a truncated cone.

25. (original) The aperture limiting element according to claim 23, wherein the substrate is formed of a plastic material.

26. (original) The aperture limiting element according to claim 24, wherein the substrate is formed of a plastic material.

27. (original) The aperture limiting element according to claim 6, wherein:

the ratio of the intensity of the zero-order diffracted light of the first wavelength $\lambda 1$ divided by the light of the first wavelength $\lambda 1$ that is transmitted by the substrate is 85% or higher; and

the ratio of the intensity of the zero-order diffracted light of the second wavelength λ2 divided by the light of the second wavelength λ2 that is transmitted by the substrate is less than the ratio of the intensity of a specified diffracted order of light of the second wavelength λ2 divided by the intensity of light of the second wavelength λ2 that is transmitted by the substrate.

28. (original) The aperture limiting element according to claim 6, wherein the light filter is a diffraction grating having concentric circles of diffractive structures, as viewed in a direction along the optical axis of the light filter.

29. (original) The aperture limiting element according to claim 6, wherein the light filter is a diffraction grating having diffractive structures that, in cross section, have a staircase shape.

30. (original) The optical pickup device according to claim 20, wherein the objective lens is a positive lens having a convex surface on the light-source side arranged so that the convex surface is inserted into the open space of the aperture.

31. (original) The optical pickup device according to claim 21, wherein the objective lens is a positive lens having a convex surface on the light-source side arranged so that the convex surface is inserted into the open space of the aperture.

32. (original) The aperture limiting element according to claim 29, wherein the diffraction grating diffracts light of the second wavelength λ2 or of the third wavelength λ3 in a direction that initially diverges from the optical axis.